

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR-17, PANCHKULA

Order

The 8th November, 2011

No. SEC/SA-II/2011/3618.—Whereas, Section 6 of the Haryana Panchayati Raj Act, 1994, provides that whenever a vacancy occurs due to death, resignation, removal or otherwise of a Panch, Sarpanch, Member, Chairman, Vice-Chairman of Panchayat Samiti, President or Vice-President of the Zila Parishad as the case may be, a new Panch, Sarpanch, Member, Chairman, Vice-Chairman, President or Vice-President as the case may be, shall be elected in the manner as may be prescribed.

2. Whereas, the State Election Commission, Haryana, in pursuance of the above provisions has adopted a practice to hold bye-election of Panchayati Raj Institutions twice in a year i.e. in the month of June and December, for casual vacancies occurred from time to time. Before conducting the bye-election, the Commission issues programme for summary revision of voters list of the concerned institution on the basis of the vacancies intimated by all the District Election Officer (P) by the date prescribed by the Commission. It has been observed that some districts do not send list of vacancies to the Commission in time or send incorrect information. In view of this, it becomes very difficult for the Commission to conduct the bye-election in time.

3. Therefore, in view of the position explained above, and to streamline the conduct of bye-election to the casual vacancies, the State Election Commission, Haryana, in exercise of the powers conferred under clause (1) of Article 243K of the Constitution of India and all other powers and in pursuance of provisions contained in Section (6) of the Haryana Panchayati Raj Act, 1994 hereby issue the following order :—

- (i) that the District Development and Panchayat Officer shall be the Nodal Officer for sending the information of vacancies of his district as per schedule given in sub-para (ii).
- (ii) that a list of all vacancies shall be sent to the Commission twice in a year i.e. by 15th April for the vacancies occurred from 1st October to 31st March, and by 15th October for the vacancies occurred from 1st April to 30th September.
- (iii) that a correct list of vacancies shall be sent both in Hindi and English. A certificate shall be furnished by the concerned District Development and Panchayat Officer under his signature and seal.
- (iv) that, if, the correct list of vacancies is not sent to this Commission by the above prescribed dates of every year, it shall be presumed that there is no vacancy in district concerned and the District Development and Panchayat Officer shall be held responsible for any lapse on this account in future.
- (v) that, if, the above directions are not complied strictly, disciplinary action shall be proposed against the officer concerned.

By order,

Panchkula :

The 8th November, 2011

Secretary,

State Election Commission, Haryana.